



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT:	Gary Emmott	§	
		§	GROUP ART UNIT: 3727
		§	
SERIAL NO.:	10/784,504	§	
		§	EXAMINER:
FILED:	February 23, 2004	§	J. F. Pascua
		§	
FOR:	Apparatus for	§	
	Fastening and	§	
	Separating Containers	§	

RESPONSE TO OFFICE ACTION DATED FEBRUARY 10, 2005

Our File No.: 2066.016
Date: April 20, 2005

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

Applicant respectfully acknowledges receipt of the Office Action dated February 10, 2005. The Examiner is requested to enter the following amendments:

IN THE CLAIMS

Please cancel claims 1, 2, 9, 13, 15, 26, 29, 30, 32, 35-37, 40, 45, 46, 52-56, 59 and 68 without prejudice.

Claims 1-2 (Cancelled)

Claim 3 (Currently Amended) [The apparatus of claim 2,] Apparatus for fastening together at least two container portions of at least one among an envelope, mailer, form and brochure and allowing the separation thereof, the apparatus including:

first and second container portions, said first and second container portions being engageable;

at least one adhesive spot disposed upon said first container portion, said at least one adhesive spot being capable of fastening together said first and second container portions; and

REMARKS

ALLOWABLE CLAIMS

The Examiner has indicated that claims 3-6, 10-12, 14, 18-23, 27, 31, 39, 42-44, 47 and 48 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. These claims have been appropriately rewritten in the amendments file herewith. Applicant is grateful and respectfully requests that claims 3-6, 10-12, 14, 18-23, 27, 31, 39, 42-44, 47 and 48 be allowed without further delay.

CLAIM REJECTIONS

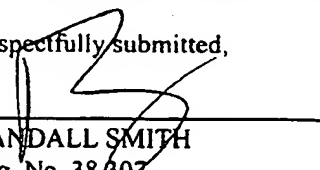
The Examiner rejected claims 1, 2, 9, 13, 15, 26, 29, 30, 32, 35-37, 40, 45, 46, 52-56, 59 and 68 on various bases. Applicant believes these rejections are in error, but has decided to cancel the rejected claims in this application and accept the allowable claims indicated above to obtain a patent without further delay.

CONCLUSION

The Examiner has indicated that claims 3-6, 10-12, 14, 18-23, 27, 31, 39, 42-44, 47 and 48 are allowable. The Examiner rejected claims 1, 2, 9, 13, 15, 26, 29, 30, 32, 35-37, 40, 45, 46, 52-56, 59 and 68 on various bases. Applicant has rewritten the allowable claims and canceled the rejected claims.

In view of the foregoing, Applicant respectfully requests that claims 3-6, 10-12, 14, 18-23, 27, 31, 39, 42-44, 47 and 48 be immediately allowed. If the Examiner has any questions or comments regarding this communication, he is invited to contact the undersigned to expedite issuance of a patent.

Respectfully submitted,


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FEE TRANSMITTAL
for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT

(\$)
903

Complete if Known

Application Number

Filing Date

First Named Inventor

Examiner Name

Art Unit

Attorney Docket No.

CONCURRENTLY HERewith

EMMOTT

2066-016

METHOD OF PAYMENT (check all that apply)

☒ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None☐ Deposit Account:Deposit
Account
Number
Deposit
Account
Name

501294

E Randall Smith, PC

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments☐ Charge any additional fee(s) or any underpayment of fee(s)☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1001 770	2001 385	Utility filing fee	385
1002 340	2002 170	Design filing fee	
1003 530	2003 265	Plant filing fee	
1004 770	2004 385	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	
SUBTOTAL (1)			(\$) 385

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Extra Claims	Fee from below	Fee Paid
68	-20** = 48	9	432
Independent Claims	5	-3** = 2	43
Multiple Dependent			

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description
1202 18	2202 9	Claims in excess of 20
1201 86	2201 43	Independent claims in excess of 3
1203 290	2203 145	Multiple dependent claim, if not paid
1204 86	2204 43	** Reissue independent claims over original patent
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2)

(\$)
518

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65		Surcharge - late filing fee or oath	
1052 50	2052 25		Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130		Non-English specification	
1812 2,520	1812 2,520		For filing a request for ex parte reexamination	
1804 920*	1804 920*		Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*		Requesting publication of SIR after Examiner action	
1251 110	2251 55		Extension for reply within first month	
1252 420	2252 210		Extension for reply within second month	
1253 950	2253 475		Extension for reply within third month	
1254 1,480	2254 740		Extension for reply within fourth month	
1255 2,010	2255 1,005		Extension for reply within fifth month	
1401 330	2401 165		Notice of Appeal	
1402 330	2402 165		Filing a brief in support of an appeal	
1403 290	2403 145		Request for oral hearing	
1451 1,510	1451 1,510		Petition to institute a public use proceeding	
1452 110	2452 55		Petition to revive - unavoidable	
1453 1,330	2453 665		Petition to revive - unintentional	
1501 1,330	2501 665		Utility issue fee (or reissue)	
1502 480	2502 240		Design issue fee	
1503 640	2503 320		Plant issue fee	
1460 130	1460 130		Petitions to the Commissioner	
1807 50	1807 50		Processing fee under 37 CFR 1.17(q)	
1806 180	1806 180		Submission of Information Disclosure Stmt	
8021 40	8021 40		Recording each patent assignment per property (times number of properties)	
1809 770	2809 385		Filing a submission after final rejection (37 CFR 1.129(a))	
1810 770	2810 385		For each additional invention to be examined (37 CFR 1.129(b))	
1801 770	2801 385		Request for Continued Examination (RCE)	
1802 900	1802 900		Request for expedited examination of a design application	

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

(\$)

SUBMITTED BY

(Complete if applicable)

Name (Print/Type)

E Randall Smith

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(Attorney/Agent)

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Signature

Date

2-23-04

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